

DRAFT

NOTES

UUP Labor Management Meeting
Monday, October 25 @ 1:30 PM
AD 606

Present: Renee Andrews, Donald Kunkel, Brendan McGovern, Robert Mess, Benita Roth, Chris Sielaff, Alan Wang, Sara DeClemente-Hammoud, Vice President JoAnn Navarro, Provost Donald Nieman, Joseph Schultz, President Stenger

Meeting began at 1:32 p.m.

UUP Chapter President Alan Wang thanked the President and Vice Presidents for attending and welcomed all to the October 25 Labor Management Meeting.

Items from UUP

1. ***Clarification for "Also Receives" vs extra service payments as it pertains to professional staff, how does the SUNY policy from 7/1/2021 impact this***

Alan Wang (UUP): We would like clarification for “Also Receives” vs extra service and how the SUNY policy from 7/1/2021 impacts this campus.

Joseph Schultz (Management): Nothing has changed. When this was going to campuses in draft form to see if it made sense prior to this there was an audit, and this is essentially how our campus has been doing it. We were told you are doing it correctly. It doesn’t mean they were doing it wrong as there was no policy. It hasn’t changed. It documents how we do business.

Benita Roth (UUP): I don’t know the percentages. A 20% cap on each?

Joseph Schultz (Management): A 20% cap and “Also Receives” you are authorized to do it doing a regular workday. For example, the second in command in Admissions takes on the Directorship in an interim role would be eligible for “Extra Receives” as Director.

Benita Roth (UUP): Extra service outside the performance program. No Statewide for either.

Joseph Schultz (Management): The confusion came from State extra service for SUNY but there wasn’t an “Also Receives” policy.

Brendan McGovern (UUP): For clarification a few professional staff are those affected. With my example I know that I was teaching three extra service situations. Teaching in the winter intersession and two summer intersessions. All three of those I was unable to do anymore.

Joseph Schultz (Management): Because it counted against your extra service.

Brendan McGovern (UUP): There were approximately 140 people in winter, and it brought in a lot of financial benefit for the University and particularly for Geography.

Joseph Schultz (Management): This wouldn't allow you under "Also Receives" it will still be in extra service. The extra service is professional employee and teaching, the "Also Receives" really is a fair number of faculty director roles.

Benita Roth (UUP): If your performance program changes.

Brendan McGovern (UUP): We teach specialized material.

Benita Roth (UUP): If one re-does a performance program can "Also Receives" be available for that person if they are doing something like teaching?

Joseph Schultz (Management): The answer is no.

Benita Roth (UUP): Extra service is beyond the performance program.

Joseph Schultz (Management): An additional set of duties. On our campus 99% are serving in some sort of directorship role. You are authorized to do that during your regular work day.

Brendan McGovern (UUP): In departments like Geography, professional staff are expected to teach.

Joseph Schultz (Management): Big picture some professionals across campus in our maximum we allow one course per semester as part of your regular obligation. You can teach one but not receive additional money as it is part of your job.

Brendan McGovern (UUP): If it was part of your performance program. If you took an extra course not "Also Receives."

Benita Roth (UUP): No way for professionals to receive "Also Receives."

Joseph Schultz (Management): The majority of what I see are faculty doing directorships. It isn't that a professional can't get it on campus, but it is usually a temporary salary increase. Let's say you do something for three months and we give them an annual salary increase of \$10,000 for three months. If you do this, you would have to put it in as a \$40,000 "Also Receives."

Chris Sielaff (UUP): Just because you have a need for and are willing to do this for them and the State policy is in the way. A mutual interest. Has SUNY ever revisited the cap? Have they ever considered doing a different metric?

Joseph Schultz (Management): This came out in 20-21. I don't know where it came from. SUNY seems to be set at 20%.

Brendan McGovern (UUP): The cap is at a much lower level than the faculty level.

2. **Plans for telecommuting for childcare/eldercare since the 10/12 expiry of the GOER memo**

Alan Wang (UUP): Are there any plans for telecommuting for childcare/eldercare since the expiration of the GOER memo?

Joseph Schultz (Management): We are in contact with SUNY and haven't received an update that anything has been extended. We thought we would be dealing with more on childcare being quarantined but there are only a handful. Of the majority their preference is to charge leave credits and take time off during the time frame. Moving ahead, we don't have the ability to say you can work remotely. If hey this work needs to be done, we will work this out on a case-by-case basis. We are still waiting for them, the State to extend the deadline.

Benita Roth (UUP): It is past the date.

Joseph Schultz (Management): Hundreds and hundreds of CSEA, they can't clean from home. There is an equity piece that we need to be mindful of as well. Most people charge credits and take time off.

Benita Roth (UUP): How many? A ballpark number.

Joseph Schultz (Management): Somewhere around five at this point.

Benita Roth (UUP): Ok.

3. **Electronic performance program/evaluation system - is this in operations and what percentage of compliance exists since its implementation?**

Alan Wang (UUP): The electronic performance program/evaluation system, is this in operation and what percentage of compliance exists since its implementation?

Benita Roth (UUP): Just to remind people probably in my last year as Chapter President I talked to some of this same group about the fact that we would go and ask Joe how many professionals have up-to-date performance programs and evaluations. The short answer was no one knew, there were estimates but they didn't really know. It was suggested an electronics system was in the process of getting built, I think with Scott Geiger.

Joseph Schultz (Management): Yes.

Benita Roth (UUP): Came back a few years ago with a query to understanding compliance. How many up-to-date performance programs and how many have been evaluated? We didn't know because the system wasn't able to query. Electronic is easier and better. We want to know where out-of-date performance programs and evaluations are. Also, it is really important for

professionals as they move throughout the system, salary level to salary level, increases, promotions.

Joseph Schultz (Management): When we had Oracle, we were able to provide the compliance rate and then Oracle went away, and the SUNY system came in. Harvey authorized the creation of this system. We work with Scott to be able to essentially query the system. The issue with the query, Sara might have to chime in. It can only do one document per year, one performance program and evaluation per calendar year. Short answer we are unable to do the compliance rate until that piece is corrected. Scott has sent us something saying I think he is going to create something to have the ability to say this is a 2020 evaluation. If someone completes it, we have the ability to run the report. The data is not helpful because of that issue.

Benita Roth (UUP): Not up to date or are they being decoded wrong?

Sara DeClemente-Hammoud (Management): One hasn't been completed.

Chris Sielaff (UUP): They have one in for this year but didn't for last year.

Sara DeClemente-Hammoud (Management): Until date components.

Brendan McGovern (UUP): If not in three years.

Benita Roth (UUP): If someone missed one, they missed one. I guess I'm asking what time frame so we can get those numbers. How many professional staff have current performance programs and how many have been evaluated within a year's time?

Sara DeClemente-Hammoud (Management): Scott has been working on this. He has made it through the test and is ready to move it going through. I didn't get a final answer on when. Maybe three or four months. January is the performance month.

Benita Roth (UUP): I think we are less worried about the history of non-compliance. We want to know now what our baseline is and where are we going from here. Concerned people are working without proper safeguards.

Chris Sielaff (UUP): The rates fall off the chart due to COVID. Different duties, supervisors not able to pay as much attention. Things have fallen out of whack.

Donald Kunkel (UUP): You can only do one performance program a year, change. You can't do it online. Back to paper.

Joseph Schultz (Management): It is a manually electronic process.

Robert Mess (UUP): As a long-time member of the College Review Panel, we give a lot more weight from paper than we do from words. We really rely on those pieces of paper. We would like to see the last three performance programs and evaluations. If the last one was done in 2017

and the employee gets a new one this year, we all expect we are going to have a little bit more every year.

Joseph Schultz (Management): If they are in the system, we can get them to you.

Robert Mess (UUP): Hypothetically if someone is working their tail off and puts in for it and gets denied, if there is no paper trail we have to weigh more on the testimony. It is really like a jury trying to come up with an honest assessment.

Brendan McGovern (UUP): Would it be possible to remove that one year? A one-year addendum that does not get scanned in and put it into the performance program?

Sara DeClemente-Hammoud (Management): To get rid of that one per year. You can add an addendum. Manually. We have to print everything off. Everything that comes in electronically, we print a hard copy and put back in the file.

Brendan McGovern (UUP): Thank you Sara.

Benita Roth (UUP): A three- or four-month framework seems reasonable. This is good for everybody. Members with up-to-date files have the best chance going forward and it is contractual as well. It is good for everyone because we know what is going on.

Joseph Schultz (Management): We will let you know when we make more progress.

4. **What is the level of compliance across units/departments on campus for completion of performance programs/evals?**

Alan Wang (UUP): What is the level of compliance across units/departments on campus for completion of performance programs and evaluations?

Joseph Schultz (Management): It is not available.

5. **What are the spring plans for an assessment day (like the one on 9/23) and is there a better way to go about evaluating students?**

Alan Wang (UUP): What are the spring plans for an assessment day like the one on 9/23 and is there a better way to go about evaluating students?

Provost Nieman (Management): Yes.

Benita Roth (UUP): The intention behind it was good, especially first year students whose last year of high school was like no other. There were concerns and doubts if they would be caught up and worked with them on deficits. The first year is hard anyway. From what I've heard, and in Harpur College Chairs and Directors meetings, what it essentially did was create another set of mid-terms early. What was done was all in the same week. The term zombie was mentioned. Students didn't really know how to deal with this. Spring will be a different thing. We've been

largely in-person. The unintended consequence was putting a burden of pressure on not so much the instructors but the students.

Provost Nieman (Management): We developed the assessment in the fall out of a suggestion from faculty and endorsed by the Faculty Senate Executive Committee. The idea was precisely what you articulated, Benita. What we were trying to single out and communicated with faculty is get some sense of student work done by this point in the semester. We can discuss with the Faculty Senate and the Deans, but it is hard to coordinate who is going to give an assessment on what day. We have a way of dealing with that with final exams. But students can take two final exams in one day. I can tell you it was very successful and a really good buy-in by faculty. We were asking faculty to do some kind of assessment. We have gotten feedback from upper division classes as well as lower division. We have identified students and reached out to them and engage them in ways to find out what challenges and what remedies there might be. We will continue to look at this. We also know a lot of assessments faculty did were things like quizzes rather than a full blown out early mid-term exam or something like that.

Benita Roth (UUP): Issues come to us. I teach mostly upper division classes. The fall holidays make it very challenging. What do you do that early in the semester? I communicate to you. People came to me. They were really concerned about student welfare and were mostly concerned about the first-year students. They faced a first set of mid-terms a month earlier. Just communicating it to you.

Provost Nieman (Management): Yes, we will keep doing it. We know we have a much more chance of positive intervention with students when we get feedback. The results have been given. Good knowledge put to work. We also have a new tool, “B-successful.” That is the first time this fall. Faculty have responded favorably, at least what I have heard.

Benita Roth (UUP): I’ve used it. It is a good tool.

6. *Update on comp time for those that were assigned mandated volunteer shifts during the week of 9/13*

Alan Wang (UUP): Is there any update on comp time for those that were assigned mandated volunteer shifts during the week of 9/13?

Joseph Schultz (Management): People who volunteered, the ones who volunteered weekends received \$500 for four weekend days. People who volunteered during their regular workday, it is difficult to get around if it was during their regular workday.

Donald Kunkel (UUP): Really it was documented. If my subordinate is doing some extra work, they get comp time.

Joseph Schultz (Management): They document that together. The question is if it is being done 8a-4p during the regular workday, can we give that person comp time? No. It is being done during the regular workday.

Donald Kunkel (UUP): But I am still expected to do it. You aren't taking anything away from my plate. I am still expected to complete my professional obligation.

Joseph Schultz (Management): From an audit standpoint, if we have a special circumstance, they worked a COVID shift, and it has affected their work and they are doing their regular work after hours. You can't tell people who are doing this during their regular shift they get comp time.

Donald Kunkel (UUP): But we can. I think that this is where we agree to disagree. Let's remove the word volunteer, volunteer or voluntold. My performance program isn't being done. Why would you not want to say thank you for your service? It is reasonable.

Benita Roth (UUP): We have a professional obligation, not 9a-5p or 8a-4p. Things that they don't get done would mean that person is working late that day or on the weekend. Not on the COVID stuff but their work.

Joseph Schultz (Management): We are willing to take a look at it. I can't get it through the auditor, but we are working for extra case.

Brendan McGovern (UUP): A lot of professional staff on campus are very conscientious and many shared with me during the heat of COVID as policy was changing on a weekly or hourly basis. Work needed to be done in a completely different time. Faculty having difficulty, 9, 10, 11 at night professionals working to get things ready. For the good of the University, many worked 12-14 hours a day. Just from a professional staff perspective if you, if we could make this work.

Donald Kunkel (UUP): I think it would go a long way in raising morale.

Joseph Schultz (Management): Any kind of numbers of the volunteer side of those who kind of volunteered regularly?

Vice President JoAnn Navarro (Management): I would have to get some numbers. I would have to be guessing.

Chris Sielaff (UUP): If someone fell into that unique set of situations?

Joseph Schultz (Management): Sara?

Sara DeClemente-Hammoud (Management): We can figure it out, but not off the top of our head.

Alan Wang (UUP): That's all I have.

Items from Management

1. COVID testing non-compliance next steps

Joseph Schultz (Management): Actually, we do not have any students in quarantine or isolation housing at this point in time. The vacation cap on all unions and MC of 40 has been extended to December 31, 2022. Basically, the cap won't be enforced.

Brendan McGovern (UUP): Good. The University was looking at a short staff during December.

Joseph Schultz (Management): Sara has been tracking the non-compliance.

Sara DeClemente-Hammoud (Management): We are down at 60 something employees who have fallen under the umbrella of non-compliance. They haven't provided us with documentation. About half of that 60 are UUP. VPs have reached out personally to everyone with a concern they need to be in compliance soon or they will be sent a letter of non-compliance by the end of the week telling them there will be consequences if they are not in compliance.

Joseph Schultz (Management): On the student side, we are removing students. About 15 students have been removed for non-compliance for the COVID run. For faculty and staff, the most likely outcome should be suspended without pay. We are hoping we don't get there, but my guess is we probably will.

Chris Sielaff (UUP): What is the timeframe of notice of discipline?

Joseph Schultz (Management): Our goal would be letters are going out the end of the week directing someone they have by the end of next week.

Chris Sielaff (UUP): Two weeks approximately.

Joseph Schultz (Management): The letters will be going out by an email.

Sara DeClemente-Hammoud (Management): 87% are in compliance. Faculty number is actually higher than staff.

Chris Sielaff (UUP): How are you going to serve them?

Joseph Schultz (Management): They will do interrogation first.

Chris Sielaff (UUP): Interrogation prior or after? I am in favor of prior.

Joseph Schultz (Management): I will make a note of that. It might convince people rather quickly

Chris Sielaff (UUP): The only point I would make is start that clock of 10 days, if that is the direction you go. We should have everything arranged by interrogation, so we don't have grievances.

Vice President JoAnn Navarro (Management): It is not a matter of test for the first week and stop. Test every week.

Sara DeClemente-Hammoud (Management): Failure to comply. You have missed four or more. They got a reminder.

Brenden McGovern (UUP): They can avoid this by getting a vaccination.

Donald Kunkel (UUP): Or go every week to get your test.

2. Holiday memos

Sara DeClemente-Hammoud (Management): Here is a copy of the holiday memos that are going to be sent out shortly (memos were distributed to attendees). The floating holiday, Election Day will be used for the day after Thanksgiving. The time off for voting has been changed. Basically, it allows employees two hours of paid leave when the employee does not have sufficient time to vote before or after their work shift.

Chris Sielaff (UUP): Only people found not to have sufficient time, double shift?

Sara DeClemente-Hammoud (Management): I don't think many in your category would fall under this.

Benita Roth (UUP): Is this coming down from SUNY or the State?

Sara DeClemente-Hammoud (Management): The State.

3. Discretionary process

Joseph Schultz (Management): The discretionary process appears in Dateline. The Dateline link will take you to HR's website. There are two memos, one to faculty and the other to staff. The process is officially underway. We are starting the compression out of our office. Can the compression results be provided prior to the due date? Unfortunately, they run concurrently. The process remains separate and if someone, if a VP is really interested in closely looking at one, we can look at last year's. The process changes and the numbers change as you address the compression.

Chris Sielaff (UUP): The alternative process. Did that go out with the Dateline notice?

Joseph Schultz (Management): Yes.

Benita Roth (UUP): Remind me?

Chris Sielaff (UUP): Yes. A member can advance it.

Joseph Schultz (Management): You can.

Benita Roth (UUP): What is the timeline? When can we expect there is more money?

Vice President JoAnn Navarro (Management): Will be paid in the paycheck of January 5.

Joseph Schultz (Management): Deans' recommendations are due to the Provost on November 19.

Brendan McGovern (UUP): Supervisors have to get it up before the 19th?

Joseph Schultz (Management): Right.

The meeting ended at 2:20 p.m.